IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE

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In re:) Chapter 11
W.R. GRACE & CO., <u>et al</u> .,) Case No. 01-1139 (JKF)
Debtors.	Objection Deadline: November 26, 2008 at 4:00 p.m
	Hearing: December 15, 2008 at 1:00 p.m.

NOTICE OF FILING OF TENTH QUARTERLY INTERIM APPLICATION OF ORRICK, HERRINGTON & SUTCLIFFE LLP, BANKRUPTCY COUNSEL TO DAVID T. AUSTERN, FUTURE CLAIMANTS' REPRESENTATIVE

- TO: (1) The Debtors; (2) Counsel to the Debtors; (3) The Office of the United States Trustee;
 - (4) Counsel to the Official Committee of Asbestos Personal Injury Claimants;
 - (5) Counsel to the Official Committee of Asbestos Property Damage Claimants;
 - (6) Counsel to the Official Committee of Equity Holders; (7) Counsel to the Debtors-in-Possession Lender; and (8) the Fee Auditor

Orrick, Herrington & Sutcliffe LLP, Bankruptcy Counsel to David T. Austern, Future Claimants' Representative (the "FCR"), has filed and served its Tenth Quarterly Application for Compensation for Services Rendered and Reimbursement of Expenses as counsel to the FCR for the time period April 1, 2008 through June 30, 2008 seeking payment in the amount of \$1,060,594.00 in fees and \$96,239.02 in expenses for a total of \$1,156,833.02 (the "Application").

This Application is submitted pursuant to the Administrative Order Under 11 U.S.C. §§ 105(a) and 331 Establishing Procedures for Interim Compensation and Reimbursement for Expenses for Professionals and Official Committee Members signed April 17, 2002, amending the Court's Administrative Order Pursuant to Sections 105(a) and 331 of the Bankruptcy Code

Establishing Procedures for Allowance and Payment of Monthly Interim Compensation and Reimbursement of Expenses of Professionals, entered May 3, 2001 (collectively, the Administrative Order").

Objections or responses to the Application, if any, must be made in writing and filed with the United States Bankruptcy Court for the District of Delaware, Marine Midland Plaza, 824 Market Street, Fifth Floor, Wilmington, DE 19801, on or before **November 26, 2008 at 4:00** p.m., Eastern Time.

At the same time you must also serve a copy of the objections or responses, if any, upon the following: (i) co-counsel to David T. Austern, FCR, Roger Frankel, Esquire and Richard H. Wyron, Esquire, Orrick, Herrington & Sutcliffe LLP, 1152 15th Street, NW, Washington, DC 20005 and John C. Phillips, Esquire, Phillips, Goldman & Spence, P.A., 1200 North Broom Street, Wilmington, DE 19806; (ii) co-counsel for the Debtors, David M. Bernick, Esquire, Kirkland & Ellis LLP, 200 East Randolph Drive, Chicago, IL 60601 and Laura Davis Jones, Esquire, Pachulski Stang Ziehl & Jones LLP, 919 North Market Street, Suite 1600, P.O. Box 8705, Wilmington, DE 19899-8705; (iii) co-counsel to the Official Committee of Unsecured Creditors, Lewis Kruger, Esquire, Stroock & Stroock & Lavan LLP, 180 Maiden Lane, New York, NY 10038-4982 and Michael R. Lastowski, Esquire, Duane Morris, LLP, 1100 N. Market Street, Suite 1200, Wilmington, DE 19801-1246; (iv) co-counsel to the Official Committee of Asbestos Property Damage Claimants, Scott L. Baena, Esquire, Blizin, Sumberg, Baena, Price & Axelrod, First Union Financial Center, 200 South Biscayne Boulevard, Suite 2500, Miami, FL 33131 and Michael B. Joseph, Esquire, Ferry & Joseph, P.A., 824 Market Street, Suite 904, P.O.

Box 1351, Wilmington, DE 19899; (v) co-counsel to the Official Committee of Asbestos
Personal Injury Claimants, Elihu Inselbuch, Esquire, Caplin & Drysdale, 399 Park Avenue, 36th
Floor, New York, NY 10022 and Mark Hurford, Esquire, Campbell & Levine, LLC, Chase
Manhattan Centre, 15th Floor, 1201 Market Street, Suite 1500, Wilmington, DE 19801; (vi) co-counsel to the DIP Lender, J. Douglas Bacon, Esquire, Latham & Watkins, Sears Tower, Suite
5800, Chicago, IL 60606 and Neil B. Glassman, Esquire, The Bayard Firm, 222 Delaware
Avenue, Suite 900, P.O. Box 25130, Wilmington, DE 19899; (vii) counsel to the Official
Committee of Equity Holders, Thomas Moers Mayer, Esquire, Kramer Levin Naftalis &
Frankel LLP, 919 Third Avenue, New York, NY 10022; (viii) the Office of the United States
Trustee, ATTN: David M. Klauder, Esquire, 844 N. King Street, Suite 2207, Lockbox 35,
Wilmington, DE 19801; and (ix) the Fee Auditor, Warren H. Smith, Warren H. Smith and
Associates, Republic Center, 325 N. St. Paul, Suite 4080, Dallas, TX 75201.

Any questions regarding this Notice or attachments may be directed to undersigned counsel.

ORRICK, HERRINGTON & SUTCLIFFE LLP

Dated: October 2, 2008

By:/S/ DEBRA L. FELDER

Roger Frankel, admitted *pro hac vice* Richard H. Wyron, admitted *pro hac vice* Debra L. Felder, admitted *pro hac vice* 1152 15th Street, NW Washington, DC 20005 (202) 339-8400

—and—

PHILLIPS, GOLDMAN & SPENCE, P.A. John C. Phillips, Jr. (#110) 1200 North Broom Street Wilmington, DE 19806 (302) 655-4200

Co-Counsel to David T. Austern, Future Claimants' Representative